



City of Haverhill
City Council Minutes

Tuesday, April 24, 2018 at 7:00 PM
Theodore A. Pelosi, Jr. Council Chambers, Room 202
4 Summer Street

Present – President Michitson, Councillors Sullivan, Bevilacqua, Barrett, LePage, Jordan, Macek, Daly O'Brien, and McGonagle.
City Clerk – Linda L. Koutoulas

1. Opening Prayer
2. Pledge of Allegiance
3. Approval of Minutes of Prior Meeting
The minutes were approved Yeas 9, Nays 0
4. Assignment of the minutes review for the next Meeting
Councillor Barrett was assigned the minutes
5. Communications from the Mayor
No Schedule
6. Communications and Reports from City Officers and Employees
Communication from E. Philip Brown requesting permission to share his book online – “*Haverhill in World War II*” that he recently scanned; with Haverhill owning the copyright
PERMISSION GRANTED Yeas 9, Nays 0 55

7. Utility Hearing(s) and Related Order(s)

Hearing was held on Document 41, a petition from National Grid & Verizon New England for joint pole locations on Lake st; Plan 19764667-0. With Richard Jackson from National Grid appearing in favor and no one opposed.

Hearing closed. Placed on file Yeas 9, Nays 0 41

ORDERED: Joint pole location for National Grid & Verizon New England on Lake st (see document for complete text)

PASSED Yeas 9, Nays 0 41B

Hearing was held on Document 42, a petition from National Grid & Verizon New England for joint pole locations on Coolidge av; Plan 19764667-1. With Richard Jackson from National Grid appearing in favor and no one opposed.

Hearing closed. Placed on file Yeas 9, Nays 0 42

ORDERED: Joint pole location for National Grid & Verizon New England on Coolidge av (see document for complete text)

PASSED Yeas 9, Nays 0 42B

Hearing was held on Document 43, a petition from National Grid & Verizon New England for joint pole location on Broadway; Plan 19764667-2. With Richard Jackson from National Grid appearing in favor and no one opposed.

Hearing closed. Placed on file Yeas 9, Nays 0 43

ORDERED: Joint pole location for National Grid & Verizon New England on Broadway (see document for complete text)

PASSED Yeas 9, Nays 0 43B

Hearing was held on Document 44, a petition from National Grid & Verizon New England for joint pole locations on Thornton av; Plan 25421712. With Paul LeSathum from National Grid appearing in favor and no one was opposed.

Hearing closed. Placed on file Yeas 9, Nays 0 44

ORDERED: Joint pole location for National Grid & Verizon New England on Thornton av (see document for complete text)

PASSED Yeas 9, Nays 0 44B

8. Hearings and Related Orders

Document 29

Petition from Anthony Rossi for a *Repetitive Petition Hearing* for construction of a multi-family structure at 108 Harrison st; Hearing requested by applicant to be Tabled from original hearing date of April 17 2018. *Recommendation from Planning Board & Planning Director: Vote that there is a specific and material change present in the revised application*

HEARING OPENED

MR. ROSSI EXPRESSED HIS REASONS WHY THE REPETITIVE PETITION SHOULD BE APPROVED. THE PROPOSED PLAN HAS ONLY ONE BUILDING AND THE PREVIOUS PLAN HAD 2 BUILDINGS & THAT THE PROPOSED NUMBER OF UNITS WILL BE 17 WHEREAS THE PREVIOUS PLAN HAD 25. HEARING CLOSED

ON MOTION OF COUNCILLOR BEVILACQUA TO APPROVE THE REPETITIVE PETITION AS THERE IS SPECIFIC AND MATERIAL CHANGE PRESENT IN THE REVISED APPLICATION.

PASSED Yeas 9, Nays 0 29

Document 30

Petition from Anthony Rossi for a *Special Permit* for multi-family dwelling units at 108 Harrison st; consisting of 17 residential units with 3 loft/one bedroom units; 12 2-bedroom units and 2 3-bedroom units

Hearing requested by applicant to be Tabled from original hearing date of April 17 2018
Favorable conditional recommendation from Planning Board & Planning Director

HEARING OPENED

MR. ROSSI INFORMED THAT HE HAD MET WITH THE NEIGHBORS TO DISCUSS HIS PROPOSAL. HE ADDED GREEN SPACE AROUND THE BUILDING TO MAKE THE PROPERTY AND AREA ATTRACTIVE. HE INTENDS TO KEEP THE PROPERTY. HE WILL GIVE PREFERENCE TO HAVERHILL RESIDENTS.

HEARING CLOSED

ON MOTION OF COUNCILLOR SULLIVAN TO APPROVE THE SPECIAL PERMIT WITH CONDITIONS AS STATED IN LETTER DATED APRIL 20 2018 FROM PLANNING DIRECTOR WILLIAM PILLSBURY AND INCLUDE LETTERS FROM DEPARTMENT HEADS. ON MOTION OF COUNCILLOR BEVILACQUA TO AMEND THE MOTION TO ADD THAT PREFERENCE BE GIVEN TO HAVERHILL RESIDENTS.

PASSED Yeas 9, Nays 0 30

9. Public Participation- Requests under Council Rule 28

No Schedule

10. Appointments:

Confirming Appointments :

Non-Confirming Appointments:

Stanley Colten, 62 Upland av to Haverhill Community Television Board of Directors-Mayor's Representative (Reappointment) Appointment to expire April 30 2019

PLACED ON FILE Yeas 9, Nays 0 17F

Romie Mundy II M.D, 150 Gale av as member and Chairman to Board of Health; effective immediately. Appointment to expire January 1 2020

MAYOR FIORENTINI INTRODUCED DR. MUNDY II

PLACED ON FILE Yeas 9, Nays 0 17G

11. Petitions:

Petition from Jeannine Cutroni, Treasurer for Moody Preschool in Haverhill requesting that the \$75.00 permit fee for their flea market fundraiser being held May 5th at the Elks to raise money for handicap playground equipment be waived

GRANTED TO WAIVE \$75 FEE Yeas 9, Nays 0 54

Applications:

No Schedule

Tag Days:

Haverhill Elite Track Club, May 19 & 20

GRANTED Yeas 9, Nays 0 32C

HHS Softball, May 26, 27, 28

GRANTED Yeas 9, Nays 0 32D

Pentucket Youth Football, July 20, 21, 22

GRANTED Yeas 9, Nays 0 32F

Fortune Teller:

Joshua Yaines, The Psychic Shop, 219 River st; Unit 1 – new; Has Police approval

GRANTED Yeas 9, Nays 0 53

12. Motions and Orders

ORDERED: That the sum of \$95,675.00 be transferred from the Police Salary account and transferred to The following *Police Department Expense* account: Police – Municipal Bldgs Maint Expense \$95,675.00

ON MOTION OF COUNCILLOR MCGONAGLE TO POSTPONE TO MAY 1 2018

POSTPONED TO MAY 1 Yeas 9, Nays 0 34C

ORDERED: That in accordance with General Laws, Chapter 44, Section 64, authorize the payment of bill(s) of the previous years and to further authorize the payment from current year departmental appropriations as listed below:

| | <u>Vendor</u> | <u>Amount</u> | <u>Account</u> | |
|--------|--------------------|---------------|-------------------|-----|
| | Lakeside Motors(2) | \$868.43 | School Department | |
| PASSED | | | Yeas 9, Nays 0 | 36C |

13. Ordinances (File 10 days)

Document 22B

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking

38 Wilson Street – Establish Handicap Parking (see document for complete text)

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 22B

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking

426 Washington Street – Establish Handicap Parking (see document for complete text)

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 22C

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking

10 Hancock Street – Establish Handicap Parking (see document for complete text)

PLACED ON FILE for at least 10 days Yeas 9, Nays 0 22D

MUNICIPAL ORDINANCE CHAPTER 240

An Ordinance Relating to Parking

17 Vine Street – Delete Handicap Parking (see document for complete text)
PLACED ON FILE for at least 10 days Yea 9, Nays 0 22E

MUNICIPAL ORDINANCE CHAPTER 160
An Ordinance Relating to Graffiti

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, as amended, is hereby further amended by adding the following as Chapter 160:

§160-1 Purpose and scope.

The purpose of this Ordinance is to help prevent the spread of graffiti vandalism and to establish a program for the removal of graffiti from public and private property. The City of Haverhill considers graffiti a public nuisance and destructive of the rights and values of property owners as well as the entire community. Unless graffiti is removed from public and private property, the graffiti tends to remain. Neighboring properties then become the target of graffiti, and entire neighborhood are affected and become less desirable places in which to be, all to the detriment of the City of Haverhill.

§160-2 Public nuisance; Duty of owner or person in possession.

- A. The existence of graffiti on public and private property in violation of this ordinance is expressly declared to be a public nuisance and, therefore, is subject to removal and abatement provisions specified in this ordinance.
- B. It is the duty of the owner of the property in which the graffiti has been applied and any person who may be in possession or who has the right to possess such property at all times to keep the property free and clear of graffiti.

§160-3 Definitions (see document for complete text)

PLACED ON FILE for at least 10 days Yea 9, Nays 0 56

MUNICIPAL ORDINANCE CHAPTER 83
An Ordinance Relating to Revolving Funds

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 83 is hereby added as follows:

“Chapter 83. Revolving Funds

§83-1. Purpose. This ordinance establishes and authorizes revolving funds for use by city departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E1/2.

§83-2. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this ordinance without appropriation subject to the following limitations: (see document for complete text)

PLACED ON FILE for at least 10 days Yea 9, Nays 0 57

14. Monthly Reports:

Financial reports from City Auditor, Charles Benevento for the month of March 2018

PLACED ON FILE Yea 9, Nays 0 48B

15. Communications from Councillors

Communication was received from Councillor Sullivan requesting to introduce Christine Soundara, Initiative Director of the Mt. Washington Alliance, to discuss the upcoming Quality of Life Campaign in the Mt. Washington Neighborhood of Haverhill

MEMBERS OF THE MT. WASHINGTON ALLIANCE SPOKE ABOUT THE POSITIVE IMPACT THAT THE ALLIANCE HAS HAD. NEIGHBOR NIGHTS WILL BE HELD EVERY WEDNESDAY IN MAY AND JUNE AT THE REHOBOTH CHURCH, 409 WASHINGTON ST. FROM 6-8PM

PLACED ON FILE Yea 9, Nays 0 38R

Communication was received from Councillor Joseph Bevilacqua requesting to refer a request for No Parking on Avon Place to Traffic & Safety Committee

REFERRED TO TRAFFIC & SAFETY COMMITTEE Yea 9, Nays 0 38S

16. Unfinished Business of preceding Meetings

Document 51

MUNICIPAL ORDINANCE CHAPTER
ORDINANCE RELATING TO SALARIES FIRE SAFETY SERVICES

Be it Ordained by the City Council of the City of Haverhill that Document 13 of 2017 is hereby amended as follows:

Effective 7/1/17 2%

Amend Article XII – Section 8 Hazardous Materials Pay

Effective 7/1/18 2%

Amend Article XII – Section 8 Hazardous Materials Pay

Effective the week after City Council approval, Amend Article XII – Section 3 – Paid Details

(see document for complete text)

PASSED Yea 9, Nays 0 51

Document 25

Mayor Fiorentini submits request from Steven Bucuzzo, City Purchaser, requesting Council vote to declare surplus property located at 20 Newcomb st along with 2 other parcels

MAYOR FIORENTINI INFORMED THAT THE PROPERTY HAD ALREADY BEEN SURPLUSSED

PREVIOUSLY. HE REQUESTED THAT THE COUNCIL DECLARE IT SURPLUS SO THAT AN RFP

COULD BE ISSUED TO SEE WHAT INTEREST THE PROPERTY MIGHT GENERATE. SOME COUNCLLORS FELT IT WAS PREMATURE TO ISSUE AN RFP SINCE THE REGISTRY OF MOTOR VEHICLES AND THE HAVERHILL DISTRICT COURT ARE AT CITY HALL.

PLACED ON FILE Yeas 9, Nays 0 25

Document 25-B; Order that real property at 20 Newcomb st & 2 adjacent parcels on Assessor's Map 202, Block 37, Lots 5A, 9A and 9B containing approximately 0.549 acres total be declared surplus and available for disposition; Related communication from Steven Bucuzzo, Purchasing Director pertaining to the disposition of the 20 Newcomb st property

ON MOTION OF COUNCILLOR BEVILACQUA TO AMEND THE ORDER TO HAVE RFP FOR LOTS 9A AND 9B ONLY.

MOTION FAILED Yeas 2 (Bevilacqua, Macek), Nays 7

ON MOTION OF COUNCILLOR SULLIVAN TO APPROVE THE ORDER

On the question of passage the yeas and nays are as follows:

Yeas,-Sullivan, LePage, Jordan, Daly O'Brien, McGonagle and President Michitson 6

Nays,-Bevilacqua, Barrett, Macek 3

PASSED 25B

17. RESOLUTIONS AND PROCLAMATIONS

Proclamation – April 3, 2018 *National Service Recognition Day*

ADOPTED Yeas 9, Nays 0 39F

Proclamation – April 24, 2018 *Armenian Holy Martyrs' Day*

ADOPTED Yeas 9, Nays 0 39G

18. Council Committee Reports and Announcements

Councillor Colin LePage presented Minutes & Recommendations of the Administration & Finance Committee meeting held on April 12th for acceptance and discussion. Items discussed 1.) Document 120-X & Z/2017(Revised) Communication from Councillors Macek and Bevilacqua regarding strengthening the City's control, oversight and education in all areas concerning underage and/or illegal use of marijuana as well as adult use of marijuana guidelines issued by the Cannabis Control Commission

Councillor LePage informed that the committee reviewed the Cannabis Control Commission Final regulations for Adult Use of Marijuana. The Committee requested further information and clarification from the City Solicitor and Planning Director pertaining to buffer zones/zoning overlay districts templates from other communities. The matter was tabled to a future meeting.

ON MOTION OF COUNCILLOR LEPAGE TO ACCEPT MINUTES AS PRESENTED AND PLACE ON FILE. Yeas 9, Nays 0 8G

Councillor Barrett announced the scheduled Citizen Outreach Committee meeting on April 26, at 7PM, City Council office, room 204. Items to be discussed are senior citizen needs in Haverhill and first homebuyers Program.

Councillor Daly O'Brien requested a moment of silence for the recent passing of former Deputy Chief Warren Jardine, longtime City firefighter

19. Documents Referred To Committee Study

Meeting adjourned at 8:44 o'clock P.M. Yeas 9, Nays 0

Attest: Linda Koutoulas
City Clerk